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The Gazette of Puducherry

PART - II

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GOVERNMENT OF PUDUCHERRY

DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT

No. 13279/DC(E)/S1/2012.

Puducherry, the 29th September 2014.

NOTIFICATION

The draft of the following rules further to amend the Puducherry Excise Rules, 1970, which the Lieutenant-Governor, Puducherry, has proposed to make in exercise of the powers conferred upon him under section 70 of the Puducherry Excise Act, 1970 (No. 12 of 1970), is hereby published as required under sub-section (1) of the said section for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on the expiry of seven days from the date of publication of this notification in the official gazette.

Any objection or suggestion which may be received from any person by the Government of Puducherry in respect of the said draft rules within the period specified above will be considered by the Government. The objections or suggestions shall be addressed to the Secretary to Government (Excise), Chief Secretariat, Goubert Avenue, Pondicherry.

Draft Rules

1. *Short title and commencement.*— (1) These rules may be called the Puducherry Excise (Amendment) Rules, 2014.

(2) They shall come into force on the date of their publication in the official gazette.

2. *Amendment of rule 113.*— In Puducherry Excise Rules, 1970, in rule 113, in sub-rule (2), for the existing clause (i), the following shall be substituted, namely:—

“(i) No shop shall be established in Municipal areas within a distance of 50 (fifty) meters and in other areas 100 (hundred) meters from any place of worship or educational institution:

Provided that the distance restriction shall not apply in areas designated as “Commercial” or “Industrial” by the Town Planning Authorities:

Provided further that if any place of worship or educational institution comes into existence subsequent to the establishment of the shop, the distance restrictions specified in this rule shall not apply.

Explanation.—For the purposes of this rule—

(a) “Place of worship” means a ‘temple’ as defined in the Puducherry Hindu Religious Institutions Act, 1972, a Mosque/Dargah registered with the Wakf Board, a Church and includes such other religious institutions as the State Government may by order specify in this behalf.

(b) “Educational institution” means any pre-primary, primary, middle or high school or higher secondary school or any other institution imparting education or training, recognised by the State Government or Central Government, or any college affiliated to any University established by law.

(c) Calculation of distance for the purpose of this rule will be the shortest pathway/lane/street/road generally used by the public and the same shall be measured from gate to gate.

(d) The distance restrictions specified in this rule does not apply to licenses issued to hotels and restaurants under the Tourism Category.”.

(By order of the Lieutenant-Governor)

S. ABEL ROZARIO,

Under Secretary to Government (Revenue).
